

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Thursday, April 27, 1967

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions
Reading and Receiving Petitions
Presenting Reports by Standing and Special Committees

HON. STERLING R. LYON, Q.C. (Attorney-General)(Fort Garry): Mr. Speaker, I beg to present the seventh report of the Standing Committee on Law Amendments.

MR. CLERK: Your Standing Committee on Law Amendments beg leave to present the following as their seventh report. Your committee has considered Bill No. 62, an Act to Amend the Limitation of Actions Act and to amend certain provisions of other Acts relating to Limitation of Actions; and has agreed to report the same with certain amendments. All of which is respectfully submitted.

MR. SPEAKER: Notices of Motion
Introduction of Bills
Orders of the Day

The Honourable Member for Brokenhead.

MR. SAMUEL USKIW (Brokenhead): Mr. Speaker, I wish to direct this question to the Minister of Agriculture. In view of the representations made to the government by the Vegetable Growers yesterday and today, is the Minister prepared to give some reconsideration to his original intent, in regard to the question of marketing?

HON. HARRY J. ENNS (Minister of Agriculture and Conservation)(Rockwood-Iberville): Mr. Speaker, that's a matter of policy. I'll give that my consideration.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party)(Radisson): Mr. Speaker, excuse me. I wonder if the Honourable Minister would repeat what he said. I didn't quite catch what he said.

MR. ENNS: The Honourable Member from Brokenhead, Mr. Speaker, was asking me a question that dealt with government policy. I'm not prepared to answer that kind of question on this occasion.

MR. PAULLEY: May I ask a supplemental question then, Mr. Speaker. Is the question of giving reconsideration a government policy matter?

MR. ENNS: Mr. Speaker, if you're asking me in what form that reconsideration should take, I would...

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I'd like to direct a question to the Provincial Treasurer. Where can the people get detailed information on the sales tax? I've had many inquiries from different merchants that have received the sales booklet and the application but after going through it they feel that there's much information that they require. Is there any place they can get this information about regulations from the department?

HON. GURNEY EVANS (Provincial Treasurer)(Fort Rouge): Yes, Mr. Speaker, in the same folder they were told where to inquire. They were also provided with a form on which they could apply for special information dealing with their kind of business. They should see that form, fill it out, send it to the Taxation Office.

MR. LEONARD BARKMAN (Carillon): Mr. Speaker, a supplementary question to the Minister. Apparently people phoning in to get sales tax information are not getting any complete answers. Is it the intention of the Minister to possibly supply these people with more information soon?

MR. EVANS: I'm not aware of any that are not getting adequate attention. If my honourable friend has some particular cases, if he will refer them to me. Otherwise the information that can be given over the phone is given and if it cannot be given over the phone, their name and address is taken and they are given complete answers by mail later.

MR. NELSON SHOEMAKER (Gladstone): Mr. Speaker, a supplementary question. Earlier this week, my honourable friend the Provincial Treasurer promised to supply the members of the House with a set of cards as listed on the green sheet or the application form. When can we expect to receive the set of cards for the various businesses?

MR. EVANS: As soon as they're printed.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX (Kildonan): Thank you, Mr. Speaker. I'd like to direct a question to the Minister of Labour. Yesterday there was a brief report in the paper of an explosion at Brandon. Has the Minister received any further information as to what took place and is there going to be an investigation of what occurred?

HON. OBIE BAIZLEY (Minister of Labour)(Osborne): Mr. Speaker, I just happen to have a report of an investigation that was made concerning the explosion at Brandon yesterday. The investigation was made by officials of the Department of Labour and engineers of Brandon Plains Western Gas and I have been advised that it was an explosion, the result of a flammable substance in the sewer main; that tests were taken concerning the amount of contamination that existed; the mains were flushed out until the readings were negative, and the indication now is that the hazards have been eliminated.

MR. FOX: I thank the Honourable Minister for the answer. What was the source of the inflammable vapour that was in the sewer?

MR. BAIZLEY: Mr. Speaker, the source is not reported here.

MR. FOX: Can the Honourable Minister determine that for us through an investigation? I think this is what is necessary - what caused the explosion. It's true we know what caused it but where did it come from?

MR. SPEAKER: It's reasonable to expect that the Minister will be having that report in due course. The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I'd like to direct a question to the Honourable the Minister of Municipal Affairs. It's with respect to the Portage lagoon farm land that was - a bill was before the House earlier on in the session and the province has made the payment to the previous owners and now the City of Portage is paying back to the province six payments of about \$26,000 a year to recover the 100,000. Now my question is, Mr. Speaker: Why did the government allow a three year uncancellable lease to be taken on the land; and another question with respect to that one: If this lease cannot be broken in the event that the City of Portage la Prairie finds a buyer for the land, what steps does your department intend to take to protect the interests of Portage la Prairie when they are unable to sell the land because of an uncancellable lease granted by this government?

HON. THELMA FORBES (Minister of Urban Development and Municipal Affairs)(Cypress): Mr. Speaker, the bill is still before the House and we are considering it in this Legislative Assembly. The last part of the question of the honourable member is hypothetical. I wouldn't be able to answer that.

MR. JOHNSTON: Mr. Speaker, a supplementary question. I beg to differ with the Minister. It's not a hypothetical question. A three year lease has been signed with the Department of Public Works and a farmer to rent the land - an uncancellable lease. In the event that the City of Portage la Prairie finds a buyer -- (Interjection)-- Well they're listing it for sale. Do you not expect them to find a buyer?

MRS. FORBES: Mr. Speaker, I'd be very happy if we could but it is still not a fact. This matter of the land being leased is under the Department of Public Works; not under the Department of Municipal Affairs.

HON. STEWART E. McLEAN, Q.C.(Minister of Public Works)(Dauphin): Perhaps I can add something to the answer that has been given. The situation is that, as the Honourable Member for Portage la Prairie will know, that as the result of a court action between the B.C. Pea Growers and the City of Portage la Prairie, a judgment was entered against the City of Portage la Prairie. To assist in the problem that arose, an agreement was entered into in June 1966 between the Government of Manitoba and the City of Portage la Prairie pursuant to which the province paid the sum of \$100,000 and acquired the title to a parcel of land which is the subject matter of the question, that agreement and arrangements between the City of Portage la Prairie and the Province of Manitoba are the subject matter of Bill No. 32.

At the time of the action and particularly at the time of the agreement in June, 1966, the land in question was under lease by the B.C. Pea Growers to a Mr. Greenlay and the agreement provided for the province acquiring the title to the land subject to the lease. The agreement also required the Province of Manitoba to, until such time as the city took possession of the lands, as was contemplated at the time, that the Province of Manitoba was to maintain the lands, together with the buildings thereon in good condition. In compliance with that requirement, the Province of Manitoba has continued the lease with the same tenant and that is presumably the lease to which the question is directed.

(MR. McLEAN cont'd).....

This bill of course has not been passed in final form as I understand it, but in any event I am informed that the City of Portage la Prairie well knew of the arrangements for continuing the lease - and indeed of course the province is under obligation to continue to look after the land - knew of the arrangements and had indeed advised the tenant that they would be happy to rent it to him themselves if they were in a position to do so and so I presume that they had no objection to the province doing so, and when and if the City of Portage la Prairie pays the sum of \$100,000 together with the interest that is required, they will at that time be entitled to a transfer of title. Until that time arrives, however, and I'm informed that there is no firm agreement or arrangement at the moment for paying that money in full, I think the whole matter of what happens to the lease is indeed a hypothetical question but can be dealt with in the regular way if and when that situation arises.

MR. JOHNSTON: A supplemental question to the Honourable Minister, Mr. Speaker. Then is it correct to assume that the City of Portage la Prairie is not in a position to sell the land until the termination of the three year lease which has been signed by the province?

MR. McLEAN: Mr. Speaker, I think the Honourable Member for Portage la Prairie could make any assumptions he wishes. The agreement is here and it is of course a provision that the city may pay the whole sum earlier than the five year period contemplated by the agreement and if they wish to exercise their privilege in that regard by paying the \$100,000, as I say, the matter can then be dealt with in the normal way of transactions of this nature.

MR. GILDAS MOLGAT (Leader of the Opposition)(Ste. Rose): Mr. Speaker, I'd like to address a question to the Minister of Public Utilities. It's been reported to me that there is a shortage of power at Lynn Lake, Manitoba, and that not only insofar as the town residents but also insofar as any expansion of the mine, that this may delay further expansion there and that the company Sherritt-Gordon is presently working at least on one new shaft plus another mine, Agassiz Mining, in another area. Has the Minister anything to report with regard to the extension of power facilities to Lynn Lake?

MR. McLEAN: ...Mr. Speaker, about I would think, three or four weeks ago I was informed by the manager or the senior officer of Sherritt-Gordon Mines that there was some possible problem of a shortage of power and this matter is under consideration at the present time.

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I'd like to direct a question to the Attorney-General. Will the Provincial Government be forwarding a request to Ottawa to urge them to lower the voting age to 18 or will this occur after this commission on the status of youth? Will it be done now or will it be done after, because the Federal Government is giving no indication of taking any action.

MR. LYON: I can give my honourable friend, Mr. Speaker, no definitive answer to when or if or what kind of a resolution would be sent to Ottawa respecting that matter. We have a resolution of our own out, directing that certain action will be taken and we intend to take that action.

MR. LAURENT DESJARDINS (St. Boniface): Mr. Speaker, I'd like to ask a question of the Minister of Public Utilities. Is it the intention of the government or the taxicabs to issue more taxi licences during this centennial year with the Pan Am in here and so on, and if this was the case would a bill have to be introduced in this House before this could be done?

MR. McLEAN: Mr. Speaker, that would be a matter within the jurisdiction of the Greater Winnipeg Taxicab Board. I have no knowledge of what action if any they may take in this regard. No legislation would be required, however, related to it.

MR. MOLGAT: I'd like to address a question to the Minister of Mines and Natural Resources. The McIvor Commission on fresh water fish industry marketing made a report. Has the Minister anything to report further on what action may be taken in Manitoba in this regard?

MR. EVANS: Mr. Speaker, there's a good deal that could be said. This is not the proper occasion. I've been prepared to discuss this on my estimates as and when we get to them.

MR. MOLGAT: Mr. Speaker, that's the reason I brought it up now, because I've virtually given up hope of reaching the estimates. There is a present problem in segments at least of the fishing industry, Mr. Speaker -- this is a question again addressed to the Minister -- with regards to frozen pickerel in particular and there appears to be an over-supply at the moment and a number of fishermen are left with a very large stock which has been of necessity put into

(MR. MOLGAT cont'd)...storage. Could the Minister indicate what steps have been taken by his department or the government to either assist the situation or what can be expected?

MR. EVANS: I've been aware of statements to the effect that there is a large surplus. My staff has been very busily engaged on it now for four or five days to learn what the situation is. I think my honourable friend may be slightly mistaken in saying that it is the fishermen who are owners of this fish. They may be indeed the other people including the fish companies.

MR. MOLGAT: Mr. Speaker, there certainly are a good number of fishermen who are caught with this because I know a number of them personally who have been in touch with me and they held this as long as they could and finally had to put it into storage. Their fear is what happens now; is it going to remain in storage until the storage charges eat up completely the value of the fish or is there going to be some support. I understand that there is a method of price support and I wondered if the Minister had considered invoking this?

MR. EVANS: Mr. Speaker, as far as I'm aware there is no method of price support within the Manitoba government.

MR. MOLGAT: Federal?

MR. EVANS: There may well be in the federal. I have simply said that I'm aware that there is likely a problem at the present time. We're looking at it and I'll follow it closely and do what can be done.

MR. DESJARDINS: Mr. Speaker, I've repeatedly asked this question of the Minister of Health and I wonder if he has an answer for me now. I wanted to know if he would look into the question of the children of widows being exempted from premiums on the hospital, that is students be exempted from hospital premiums. The Minister said the Manitoba Hospital Commission was looking into this, and this has been four months ago or so. I wonder if there'll be any action this session. If he hasn't the answer now I wonder if he could assure that we'll get the answer at least before the end of the session.

HON. CHARLES WITNEY (Minister of Health) (Flin Flon): I'll take it as notice, Mr. Speaker.

MR. SHOEMAKER: Mr. Speaker, before the Orders of the Day I'd like to direct a question to my dear friend the Minister of Health. Has he any recent developments to report in respect to dental legislation. I'm prompted to ask this question by reason of the application forms that accompanied the Tax Revenue Information Guide. Card No. 24 is prepared especially for dentists, denturists, dental mechanics, dental supply houses to assist them in their filing the revenue tax. Now the fact --(Interjection)--Well, it's on here Mr. Speaker. It's right here on -- it's made up and I suppose has already gone forward to all the denturists.

MR. SPEAKER: Does the honourable member have a question?

MR. SHOEMAKER: I have two; two questions. When can we expect some information in respect to the proposed legislation dealing with denturists and the dental technicians and the dentists? Can we expect to receive legislation at this session of the Legislature?

MR. WITNEY: Mr. Speaker, and my dear friend, No.

MR. McLEAN: Mr. Speaker, before the Orders of the Day I wish to place on the table a return to an Order of the House No. 76 on the motion of the Honourable Member for Assiniboia, made the 17th day of April, 1967.

MR. JOHNSTON: Mr. Speaker, I'd like to direct a question to the House Leader. In view of the answer given by the Honourable Minister for Health, will this government be requiring the proprietors of other illegal businesses to collect sales tax?

MR. DESJARDINS: Mr. Speaker, on the same subsequent question. Do we take this as being a printer's error or --(Interjection)-- oh, it's a printer's error. So this will be withdrawn and a new sheet will be issued then will it? It's card No. 24, Mr. Speaker.

MR. SPEAKER: I'd ask the honourable member to reserve his question when the Minister returns.

MR. DESJARDINS: Oh, I'm sorry, which Minister? --(Interjection)-- oh, the Provincial Treasurer. I thought it was Roblin.

DEPUTY SERGEANT-AT-ARMS: His Honour the Lieutenant-Governor.

MR. SPEAKER: May it please Your Honour: The Legislative Assembly at its present session, passed several bills which, in the name of the Assembly, I present to Your Honour and to which Bills I respectfully request Your Honour's Assent.

MR. DEPUTY CLERK: Bill No. 59, An Act to Amend The Public Schools Act (2); No. 87, An Act to Amend The Affiliated Colleges Grants Act; No. 89, An Act to Amend The Public Schools Act (4); No. 96, The Public Schools Finance Board Act; Bill 97, An Act to Amend the Legislative Assembly Act.

MR. CLERK: In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to these Bills.

MR. SPEAKER: Orders of the Day. The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I'd like to ask a question of the House Leader. Will there be a meeting called of the Committee on Statutory Orders and Regulations during this session?

MR. LYON: I'm not in a position to advise my honourable friend definitively on that. If time can be found we might have a brief organizational meeting. It may be difficult to find the time to do that. If not, we will be in touch with all members of the committee very shortly to arrange for the first meeting of that committee. A number of items are being referred to it.

MR. FROESE: A supplementary question then, Mr. Speaker. Will the normal resolutions giving concurrence to the regulations not be passed at this session?

MR. LYON: The regulations have been tabled. We have not had the meeting of the Statutory Orders Committee because the report that we wish to have on the regulations from the Legislative Counsel is not available to us as yet.

MR. SPEAKER: Orders of the Day.

MR. LYON: Mr. Speaker, I believe we would now like to suggest, Sir, that you leave the Chair for an unspecified period while the House adjourns into Law Amendments Committee to carry on with its work there. Because we are of necessity unsure as to how long we will be in Law Amendments Committee, perhaps it would be acceptable if we did ask Mr. Speaker just to leave the Chair and if we have not concluded our work by 5:30 then we would resume again in the House at 8:00 o'clock and carry on with our session if that is agreeable. Otherwise, we would, for instance if we finished at 4:30, 5:00 o'clock, we would come back into the House and carry on with our Order Paper.

MR. SPEAKER: I'm leaving the Chair to return when called.

THE LEGISLATIVE ASSEMBLY OF MANITOBA
8:00 o'clock, Thursday, April 27, 1967

HON. STERLING R. LYON Q.C. (Attorney-General) (Fort Garry): Mr. Speaker, we are presently in the Law Amendments Committee where our work is not yet completed. There was one suggestion, that we consider adjourning the House now and returning back to Law Amendments Committee and completing our work there tonight and then calling it a day. The other approach that could be taken at this time is this: that if we - I believe there are two or three more groups to be heard from in Law Amendments about the number of bills there, but the major bill in Law Amendments has now been cleared through. The other suggestion is, of course, that we could ask Mr. Speaker merely to leave the Chair at this time and that we could adjourn to Law Amendments Committee and if by chance, say, at 10:00 or 10:30 we have completed our work, we can come back here and deal perhaps for awhile with some of the non-controversial matters on third reading and then go home at a reasonable hour thereafter. I'm perfectly open to suggestions from my honourable friends opposite because we do want to accommodate all members of the House and not in any way prejudice the proper discussion of the business that is before us. But I'm wondering if, as a compromise approach, it might be reasonable to suggest that we at this stage merely ask Mr. Speaker to leave the Chair again and that we return here at 10:30. If we have not completed our business in Law Amendments at 10:30 we will then adjourn the House, go back to Law Amendments Committee and complete what we have to do there. If we have completed our business at 10:30 or before that time, we could come back here and perhaps deal with a few of the matters that would not be too controversial, and then consider adjournment somewhere around 11:00 or 11:30 - in that area. So there are options open and I'm merely laying them before my honourable friends for their opinion.

MR. MOLGAT: Mr. Speaker, I think that in view of the work that's still before us in Law Amendments that I would recommend that we would adjourn now and we can come back tomorrow morning. I think that this would mean that the sessional staff, for example the page boys and so on, would not need to sit here until 10:30 tonight to find out whether or not we will be coming back, and I think that there's probably ample work there before us to keep us going for a good evening in Law Amendments Committee, so I think that we should proceed with the adjournment.

MR. FROESE: Mr. Speaker, that suggestion would meet my approval.

MR. LYON: I would merely point out to the Leader of the Opposition that we have in Law Amendments I believe some nine bills left. The major one in terms of volume and importance has already passed that Committee, and while not wishing to be a Simon Legree with a whip, or anything like that, I suggest that there may be an opportunity to complete some useful work in the House tonight, and I would be loath to have Mr. Speaker consider an adjournment motion at this time unless we are all fully convinced that it would not be possible to complete any useful work in the House tonight. I haven't heard an expression of opinion from my honourable friend the Leader of the New Democratic Party. Perhaps he could enlighten us as to his views.

MR. PAULLEY: Well Mr. Speaker, as far as I'm concerned as Leader of the New Democratic Party, we passed a motion the other day leaving ourselves in the hands of the government and the House Leader and he saw fit last night to keep us until the wee small hours of the morning. I certainly am not going to make any plea to him this evening as to when we shall retire. There was no consideration last night given by my honourable friends opposite as to when we shall cease our deliberations; I ask no quarter from him tonight. I place myself in his hands and if possible that he may have good judgment as to whether or not we can give due consideration to the business of Manitoba - which I'm sure we all agree is so important, on occasions - of sane mind and good body, so I leave myself in his hands as to the proceedings here tonight. I opposed the speed-up motion on behalf of my group; having lost that appeal for judgment to my honourable friends, I see no reason for me tonight, as leader of my party, to make any plea. I leave in his hands and his judgment, be it good or bad, what the proceedings of the House shall be.

MR. LYON: Mr. Speaker, I wasn't seeking a plea; I was seeking some advice. That being the case, I would suggest then, Mr. Speaker, that you leave the Chair until 10:00 o'clock at which time we will come back here if we have not completed our work; we will adjourn at 10:00 o'clock, and retire back to Law Amendments Committee to complete our work.

MR. CLEMENT: . . . why did you ask us in the first place what we wanted to do? You suggested that we could do one of two or three things. Our Leader suggested it and the Leader of the NDP Party, he's co-operative as usual at the coalition, and now you stand up and crack the whip.

MR. LYON: I'm trying to do this with some measure of consensus because we all realize that there are important matters before us. At the same time we do not wish, if matters are concluded in Law Amendments Committee, as they well might, within an hour or an hour and a half, I'm sure honourable members wouldn't wish to consider their evening's work done, so I would make that suggestion to the House in a spirit of co-operation, that we do ask Mr. Speaker now to leave the Chair until 10:00 o'clock at which time we will return and adjourn the House if we have not completed our work in Law Amendments. If we have, we can then consider what period we should continue to sit.

MR. SPEAKER: I'm satisfied that was a matter for you to decide and not me; there's no opinion required from me. However, I am now leaving the Chair to return again at 10:00 this evening.

Resumed sitting at 10:00 p.m.

MR. LYON: Mr. Speaker, I beg to move, seconded by the Honourable the Provincial Treasurer, that the House do now adjourn and stand adjourned until 9:30 tomorrow morning.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried, and the House adjourned until 9:30 a.m. Friday.